IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TENTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 24420 of 2004

Between:

M/s.Gayathri Chemicals rep., by its Managing Partner Smt.K.Vimala, w/o K.V.Reddy, r/o Flat No.403, Saraca Sadan, S.R.Nagar, Hyderabad-38.

..... PETITIONER

AND

1 Andhra Pradesh State Financial Corporation, rep., by its Vice Chairman and Managing Director, Chirag Ali Lane, Hyderabad-1.
2 The Senior Branch Manager, Andhra Pradesh State Financial Corporation, Ranga Reddy (West) Branch, D.No.5-9-194, 2nd Floor, Chirag Ali Lane, Hyderabad-1.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of writ of MANDAMUS declaring the action of respondents No.2 in not accepting the Tender Application under the Notification published on 3-11-2004 is as indiscriminative, arbitrary, illegal, unlawful, unconstitutional and against to the principles of natural justice.

Counsel for the Petitioner: MR.V.VENKATA KUMAR

Counsel for the Respondents: MR.Y.N.LOHITA

The Court made the following :

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ORAL ORDER:

This writ petition is filed seeking a Mandamus to declare the action of the 2nd respondent in not accepting the Tender Application under the Notification published on 3.11.2004 as indiscriminative, arbitrary, illegal and against the principles of natural justice.

Heard the learned counsel for both the parties and perused the material on record.

The learned counsel for the respondents has brought to the notice of this Court that in pursuance of the Notification, dated 3.11.2004, no auction has been conducted because stay of auction was granted by this Court on 20.11.2004 in W.P.M.P.No.13183 of 2004 in W.P.No.6157 of 2004. Therefore, the respondents have not gone ahead of the notification.

Having regard to the facts and circumstances of the case, I consider it appropriate to direct the 2nd respondent to receive the tender application submitted by the petitioner if it is found otherwise in order or the respondents are at liberty to issue fresh notification.

The writ petition is disposed in terms of the above direction. In the circumstances of the case, there shall be no order as to costs.

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(K.C.BHANU, J.)

10th February, 2005.

bcj

To

1 Andhra Pradesh State Financial Corporation, rep., by its Vice Chairman and Managing Director, Chirag Ali Lane, Hyderabad-1.
2 The Senior Branch Manager, Andhra Pradesh State Financial Corporation, Ranga Reddy (West) Branch, D.No.5-9-194, 2nd Floor, Chirag Ali Lane, Hyderabad-1.

Two C.D. copies

Note: Furnish C.C. by Monday

B/o

Bcj